

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 29 2003



APPLICANT: Bergersen

ATTY. DOCKET NO: BER-P-03-052

SERIAL NO.: 10/665,326

GROUP ART UNIT: 3732

FILING DATE: Sept. 18, 2003

EXAMINER: Unassigned

TITLE: "A DENTAL APPLIANCE HAVING AN ALTERED VERTICAL THICKNESS BETWEEN AN UPPER SHELL AND A LOWER SHELL WITH AN INTEGRATED HINGING MECHANISM TO ATTACH AN UPPER SHELL AND A LOWER SHELL AND A SYSTEM AND A METHOD FOR TREATING MALOCCLUSIONS"

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

Submitted herewith is an Information Disclosure Statement for consideration in the above-identified application. This Information Disclosure Statement is submitted.

Within 3 months (1) of filing date of a national application; (2) of date of entry of the national stage as set forth in 37 CFR §1.491 in an international application; or (3) before the mailing date of a first Office Action on the merits, whichever occurs last. (No fee is required.)

After the mailing date of a first Office Action but before (1) mailing of a final action under 37 CFR §1.113; or (2) mailing of a notice of allowance under §1.311, whichever occurs first.

Payment for the fee set forth in 37 CFR §1.17(p) accompanies this submission; or

The certification specified in 37 CFR §1.97(e) is made below. (No fee is required.)

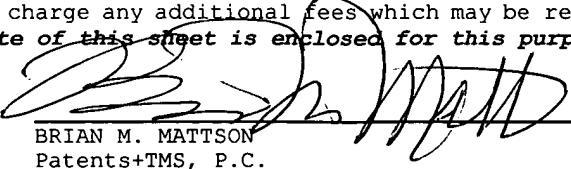
After the mailing of (1) a final action under 37 CFR §1.113; or (2) a notice of allowance under 37 CFR §1.311 whichever occurs first, but before payment of the issue. The certification specified in 37 CFR §1.97(e) is made below. The Commissioner hereby is petitioned to consider the Information Disclosure Statement accompanying this submission. Payment for the Petition fee set forth in 37 CFR §1.17(i)(1) accompanies this submission.

The undersigned counsel for applicant(s) hereby certifies each item of information identified in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, or to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of the statement.

A check in the amount of \$\_\_\_\_\_ to cover any required fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-0595. *A duplicate of this sheet is enclosed for this purpose.*

  
(Reg. No. 35,018)

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1914 North Milwaukee Avenue  
Chicago, Illinois 60647  
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When phoning re this application,  
please call (773) 772-6009

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 29, 2003.

  
(Reg. No. 35,018)

BRIAN M. MATTSON



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE STATEMENT

APPLICANT: Bergersen ATTY. DOCKET NO.: BER-P-03-052  
SERIAL NO.: 10/665,326 GROUP ART UNIT: 3732  
FILING DATE: Sept. 18, 2003 EXAMINER: Unassigned  
INVENTION: "A DENTAL APPLIANCE HAVING AN ALTERED VERTICAL THICKNESS BETWEEN AN UPPER SHELL AND A LOWER SHELL WITH AN INTEGRATED HINGING MECHANISM TO ATTACH AN UPPER SHELL AND A LOWER SHELL AND A SYSTEM AND A METHOD FOR TREATING MALOCCLUSIONS"

Mail Stop DD  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

In accordance with the provisions of 37 CFR §1.56, Applicant requests that citation and examination of the references, identified on the attached PTO-1449 form, copies of which are enclosed herewith, be made during the course of examination of the above-mentioned application for U.S. patent. No fee is due for submission of this statement. If any fees are due and owing in view of this communication, please charge Deposit Account No. 50-0595. ***A duplicate of this sheet is included for this purpose.***

I. SUBMITTED REFERENCES

A. U.S. PATENT DOCUMENTS

<u>PATENT NO.</u>	<u>PATENTEE</u>	<u>ISSUE DATE</u>
6,129,084	Bergersen	Oct. 10, 2000
4,898,535	Bergersen	Feb. 6, 1990
D 323,215	Bergersen	Jan. 14, 1992

II. REMARKS

Copies of the above references together with form PTO-1449 are submitted herewith.

In view of the foregoing, Applicant submits that all of the claims in the application are patentably distinguishable over the teachings of the above references, taken singly or in combination. Early consideration of the application is, therefore, requested.

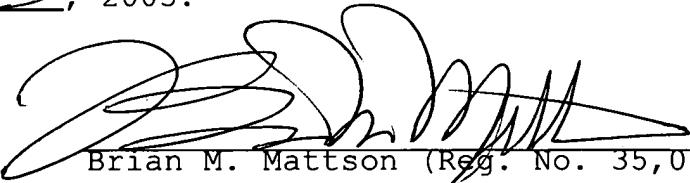
Respectfully submitted,

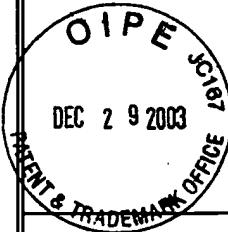
 (Reg. No. 35,018)

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ATTORNEY FOR APPLICANT

CERTIFICATE OF MAILING

I hereby certify that this **INFORMATION DISCLOSURE STATEMENT, PTO-1449 AND 3 REFERENCES** are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop DD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 23, 2003.

 Brian M. Mattson (Reg. No. 35,018)

Form PTO 1449		U.S. Department of Commerce Patent and Trademark Office			Docket No. BER-P-03-052		Serial No. 10/665,326	
 DEC 29 2003		LIST OF ART CITED BY APPLICANT (Use several sheets if necessary)			Applicant: Bergersen			
					Filing Date Sept. 18, 2003		Group Art Unit 3732	
<b>U.S. PATENT DOCUMENTS</b>								
Examiner's Initials		Document Number	Date	Name	Class	Subclass	Filing Date If appropriate	
		6,129,084	Oct. 10, 2000	Bergersen	128	848		
		4,898,535	Feb. 6, 1990	Bergersen	433	6		
		D 323,215	Jan. 14, 1992	Bergersen	D24	180		
<b>FOREIGN PATENT DOCUMENTS</b>								
		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>								
Examiner		Date Considered						
<b>*EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								